

COMBINED PUBLIC NOTICE

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

ESSEX COUNTY

June 19, 2014

New Jersey Department of Community Affairs

101 South Broad Street
PO Box 800
Trenton, NJ 08625-0800
609-292-3647

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the New Jersey Department of Community Affairs (DCA).

Per 24 CFR 58.33, the combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds (FONSI/NOI-RROF) will be published simultaneously with the submission of the Request of Release of Funds (RROF). The funds are needed on an emergency basis due to a declared disaster from the impacts of Superstorm Sandy, which made landfall on October 29, 2012. As a result, the comment periods for the FONSI/NOI-RROF and RROF have been combined.

REQUEST FOR RELEASE OF FUNDS

On or about June 19, 2014, the DCA will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Federal funds under the Community Development Block Grant Program (CDBG) pursuant to the Disaster Relief (DR) Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013) for the Neighborhood Enhancement Program (NEP). DCA expects to fund the project using approximately \$480,100 of NEP funds.

The following information pertains to this project:

Project Title: 107-109 Fabyan Pl

Location: 107-109 Fabyan Pl, Newark, NJ 07112

Estimated Cost: \$1,180,100

Project Description: The applicant proposes to construct two new 3-family homes on a currently vacant lot.

The NEP provides funding to stabilize “threatened but viable” neighborhoods, through the creation of affordable housing, and is a component of local plans to invest in and rebuild these communities. The NEP funds the rehabilitation or re-use of abandoned, foreclosed and vacant housing, structures or lots and addresses the shortage of affordable housing caused by the storm,

while at the same time returning blighted buildings to viability. \$30,000,000 in CDBG-DR funds have been allocated to this program. The program will provide up to \$250,000 in subsidy per unit (based on need and number of bedrooms), and the maximum award is \$1,750,000.

FINDING OF NO SIGNIFICANT IMPACT

An Environmental Assessment has been prepared and DCA has determined that this project will have no significant impact on the human environment; therefore, an Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969 (NEPA) is not required. The reason for the decision not to prepare an EIS is that no significant impacts or hazards were identified in the course of the environmental review. Additional project information is contained in the Environmental Review Record on file at the New Jersey Department of Community Affairs, Sandy Recovery Division, 101 South Broad Street, PO Box 800, Trenton, NJ 08625-0800. The record is available for review and may be examined or copied weekdays 9 A.M. to 5 P.M. or can be viewed online at <http://www.nj.gov/dca/divisions/sandyrecovery/review/>.

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on this project may submit written comments to Stacy Bonnaffons, Assistant Commissioner, Sandy Recovery Division, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 800, Trenton, NJ 08625-0800 or online at <http://www.nj.gov/dca/divisions/sandyrecovery/review/> and to Tennille Smith Parker, DRS, Acting Division Director, HUD, 451 Seventh Street SW, Washington, D.C. 20410. All comments received by July 3, 2014 will be considered by DCA. Comments should specify which Notice (Notice of Finding of No Significant Impact [FONSI] or notice of Intent to Request Release of Funds [NOI-RROF]) they are addressing.

RELEASE OF FUNDS

DCA certifies (on or about June 19, 2014) to HUD that Richard E. Constable, III, in his capacity as Commissioner of DCA consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under the National Environmental Policy Act and related laws and authorities, and allows DCA to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and DCA's certification for a period of fifteen (15) days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of DCA; (b) DCA has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency, acting pursuant to 40 CFR Part 1504, has submitted a

written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to Tennille Smith Parker, DRS, Acting Division Director, HUD, 451 Seventh Street SW, Washington, D.C. 20410. Potential objectors should contact HUD to verify the actual last day of the objection period.

Commissioner Richard E. Constable, III
New Jersey Department of Community Affairs